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TAGS: [PGOV](#) [KAWC](#) [HR](#) [WAR](#) [CRIMES](#)
SUBJECT: JUDGE ORDERS GLAVAS DETAINED

REF: ZAGREB 884 AND PREVIOUS

Classified By: Political Officer Tom Selinger for reasons 1.4 (b) & (d)

11. (U) SUMMARY AND COMMENT: The Zagreb County Court today ordered the detention of MP Branimir Glavas to prevent him from intimidating witnesses in an ongoing war crimes investigation that implicates him in the torture and murder of Serb civilians in Osijek in 1991 (reftels). Parliament, which earlier voted to lift Glavas' immunity from prosecution, must now remove his immunity from arrest before he can be taken into custody. This could occur as early as October 24. In addition, the Chief State Prosecutor today initiated a second criminal procedure against Glavas for additional war crimes.

12. (C) After months of investigation and legal maneuvering, the noose appears to be tightening around Glavas' neck. His eventual arrest will mark a significant step forward in upholding respect for the rule of law -- a local political kingpin, whose wartime role in the murders of Serb civilians has been an open secret in Croatia for 15 years, will finally face justice. END SUMMARY AND COMMENT.

JUDGE REVERSES EARLIER DECISIONS TO DENY DETENTION

13. (U) On October 23, Zagreb County Court Investigative Judge Zdenko Posavec approved the prosecution's October 10 request to detain Glavas based on evidence that he was tampering with witnesses. Parliament's Committee on Mandates and Immunities is now considering removal of Glavas' parliamentary immunity from arrest and will then put the issue before the full Parliament. This is separate from Glavas' immunity from prosecution, which Parliament stripped in May.

14. (U) Posavec's decision, which reverses his three previous denials of requests to detain Glavas, coincides with initiation of a separate criminal procedure against the Osijek strongman by Chief State Prosecutor Mladen Bajic. This second investigation, which has already resulted in the October 21 arrest of six other suspects, accuses Glavas of directly ordering the execution of up to 15 Serb civilians in Osijek in 1991-92. These murders have become known as "Operation Cello-Tape" due to the way the victims were bound before they were executed and thrown in the Drava River.

PROSECUTOR SHIFTS FOCUS BACK TO OSIJEK

15. (C) Bajic told PolOff October 21 that he believes these new charges make it clear that there is no basis for Glavas' claims that the investigation against him is politically motivated due to his conflict with PM Ivo Sanader. Bajic

also stressed the fact that he would file the second criminal procedure against Glavas in Osijek rather than Zagreb, appearing to regret his decision early in the first investigation to ask the Supreme Court for a change of venue from Osijek to Zagreb. Bajic had grown frustrated with Posavec's earlier denials of detention and expressed confidence that the Osijek court is up to the challenge of trying one of the most influential political figures in eastern Croatia.

16. (C) COMMENT: Glavas could therefore face trials both in Zagreb and in Osijek, presenting a unique opportunity to assess the relative development of each court. Several key figures in the Osijek County Court and the County Office of the State Prosecutor have participated extensively in the Embassy's war crimes trial capacity-building project. Post holds them in high regard and shares Bajic's optimism. END COMMENT.
BRADTKE